

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the US Postal Service with sufficient postage as First Class Mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date: August 26, 2008

By: Mari Kleineidam

Mari Kleineidam

**PATENT**

**Attorney Docket No. GC718-2-US**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	)	Group Art Unit: 1652
	)	
Blattmann, Beat O. et al.	)	Examiner: Rebecca E. Prouty
	)	
Serial No.: 10/524,234	)	Confirmation No.: 8676
	)	
Filed: December 1, 2005	)	
	)	
For: MUTANT E. COLI APPA PHYTASE	)	
ENZYMES AND NATURAL VARIANTS	)	
THEREOF, NUCLEIC ACIDS ENCODING	)	
SUCH PHYTASE ENZYMES, VECTORS AND	)	
HOST CELLS INCORPORATING SAME AND	)	
METHODS OF MAKING AND USING SAME	)	

**TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed are the following documents:

1. Information Disclosure Statement (3 page(s), in duplicate);
2. Form PTO-1449 (3 page(s)); and
3. Copies of the International Search Report (7 pages) and EP Supplementary Search Report (3 pages) and 127 references.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required, or credit any overpayment to Deposit Account No. 07-1048, referencing Attorney Docket No. GC718-2-US. A duplicate of this paper is enclosed.

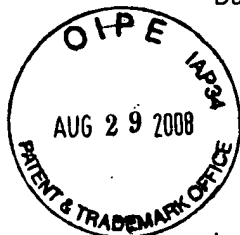
Respectfully submitted,

Lynn Marcus-Wyner  
Lynn Marcus-Wyner, Ph.D.  
Attorney for Applicants  
For Jennifer A. Haynes, Ph.D.  
Patent Agent for Applicants  
Reg. No. 48,868

Dated: August 26, 2008

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925 Page Mill Road  
Palo Alto, CA 94304-1013  
Tel.: (650) 846-7500, Ext. 7620  
Fax: (650) 845-6504

GC718-2-US T-IDS



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Dated: August 26, 2008

Lynn Marcus Wyner  
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Attorney for Applicants  
For Jennifer A. Haynes, Ph.D.  
Patent Agent for Applicants  
Reg. No. 48,868

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NATURAL VARIANTS THEREOF,	)	
NUCLEIC ACIDS ENCODING	)	
SUCH PHYTASE ENZYMES,	)	
VECTORS AND HOST CELLS	)	
INCORPORATING SAME AND	)	
METHODS OF MAKING AND	)	
USING SAME	)	

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (listed on the attached Form PTO-1449 and attached thereto) of which they are aware, that they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement:

(a) ☐ accompanies the new patent application submitted herewith. 37 CFR §1.97(a).

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(b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry into the national stage of a PCT application as set forth in 37 CFR §1.491.

(c) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits.

(d) ☒ is filed after the first Office Action and more than three months after the application filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$180.00) set forth in 37 CFR §1.17(p) or a certification as specified in 37 CFR §1.97(e), as checked below. Authorization to charge Deposit Account No. 07-1048 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement is provided in the Transmittal Letter submitted herewith in duplicate.

(e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by authorization (in the Transmittal Letter submitted herewith in duplicate) to charge Deposit Account No. 07-1048 the fee (\$180.00) set forth in 37 CFR §1.17(l)(1) and a certification as specified in 37 CFR §1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the Supplemental Information Disclosure Statement.**

**[If either of boxes (d) or (e) is checked above, the following "certification" under 37 CFR §1.97(e) may need to be completed.]** The undersigned certifies that:

☐ Each item of information contained in the Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

☐ No item of information contained in this Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

A copy of the items on Form PTO-1449 is supplied: PCT International Search Report for PCT/US03/25058, filed August 11, 2003 and EP Supplementary European Search Report for EP 03 78 5159, filed August 11, 2003 with attached patents and publications.

☒ each ☐ none ☐ only those listed below:

A concise explanation of relevance of the items listed on PTO-1449 is:

- ☒ not given
- ☐ given for each listed item
- ☐ given for only non-English language listed item(s)
- ☐ in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

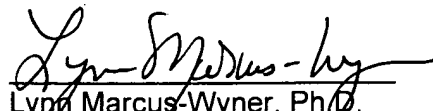
The Examiner is reminded that a "concise explanation of the relevance" of the submitted prior art "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention." MPEP §609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR §1.97(b), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.98 and MPEP §609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,

Dated: August 26, 2008

  
Lynn Marcus-Wyner, Ph.D.  
Attorney for Applicants  
For Jennifer A. Haynes, Ph.D.  
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